



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. SUBBIAH
AND
THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

H.C.P. (MD) No.1315 of 2017

Chinnalagi : Petitioner

Vs.

1. The State of Tamil Nadu represented by its
the Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District

2. The Inspector of Police,
Appanthirupathi Police Station,
Madurai District

3. A. Perumal : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus, to direct the respondents 1 and 2 to produce the body of the petitioner's husband namely, Anbazhagan, S/o. Azhagan, aged about 26 years old before this Court and set him at liberty.

For Petitioner : Mr. R. Karunanidhi
For Respondents : Mr. C. Ramesh
Additional Public Prosecutor
Mr. A. R. Kannappan for R3

ORDER

[Order of the Court was made by R. SUBBIAH, J]

The petitioner is the wife of the detenu, viz., Anbazhagan, aged 26 years. The marriage between the petitioner and the detenu took place on 20.08.2012. Out of the wedlock, she gave birth to two female children. While so, from 19.03.2017, the petitioner's husband/detenu went missing. Hence, she lodged a complaint with the respondent police and the same was registered in Crime No.58/2017 and the police have secured the detenu and closed the case. In the meanwhile, the petitioner's husband again went missing on 25.07.2017. Since, she could not find her husband, again, she lodged a complaint and since no effective steps were taken by the



respondent police to secure him, the petitioner is before this Court with this petition.

2. It is the specific case of the petitioner that the detenu eloped with the daughter of the third respondent. Hence, by impleading the third respondent, the present Habeas Corpus Petition has been filed. However, we find that the detenu is in the habit of frequent elopment. Already, the petitioner has also lodged a complaint on 19.03.2017 and a case has been registered and subsequently, when the detenu was secured, the same was closed. It is the second elopment. Hence, we are not inclined to entertain this petition. Accordingly, this Habeas Corpus Petition is closed with liberty to the petitioner to approach the appropriate forum.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District
2. The Inspector of Police,
Appanthirupathi Police Station,
Madurai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR

RL/4C/2P/SKN/RSK/SAR1/12/12/2017

Order made in
H.C.P. (MD) No.1315 of 2017

Dated:
21.11.2017